



STATE OF TEXAS
COUNTY OF TRAVIS
EXHIBIT " B "

(Water Line Easement)
South IH-35 Water and Wastewater Program
C.I.P. No. 6937.013

DESCRIPTION FOR PARCEL 4558.19 WE-2

LEGAL DESCRIPTION OF A 0.010-ACRE TRACT OF LAND, COMPRISED OF TWO PARCELS OF LAND, EQUIVALENT TO A TOTAL OF 400 SQUARE FEET TRACT OF LAND SITUATED IN THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 10.01-ACRE TRACT CONVEYED BY WARRANTY DEED TO BOONE AND HERMAN'S, LLC, DATED APRIL 15, 2005 AS RECORDED IN DOCUMENT NO. 2005065897, AND CORRECTED BY AFFIDAVIT DATED JULY 27, 2006, AS RECORDED IN DOCUMENT NO. 2006143593, BOTH OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID TWO PARCELS OF LAND BEING DESCRIBED AS PART 1, CONTAINING 0.005-ACRE (200 SQUARE FEET) OF LAND, AND PART 2 ALSO CONTAINING .005-ACRE (200 SQUARE FEET) OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1 0.005-ACRE (200-SQUARE FEET)

COMMENCING FOR POINT OF REFERENCE at a 5/8" iron rod found in the north right-of-way (R.O.W.) line of F.M. 1327 (R.O.W.varies) for the common south corner of said Boone and Herman's 10.01-acre tract and that certain 10.01-acre tract of land conveyed to Eleven-Mile Hill as recorded in Document No. 2005065893 and corrected in Document No. 2006143599, both of the Official Public Records of Travis County, Texas; **THENCE**, with said north R.O.W. line, N87°51'59"E, pass a T.X.D.O.T. Type I concrete monument at 79.09 feet, and continuing for a distance of 132.08 feet to a calculated point having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, values of N= 10,013,854.37, E= 3,097,840.79 for the southwest corner and **POINT OF BEGINNING** of the herein described easement;

THENCE, leaving said north R.O.W. line of F.M. 1327, and through said Boone and Herman's 10.01 acre tract for the following three (3) courses:

- 1) **N02°08'01"W**, a distance of **20.00** feet to a calculated point for the northwest corner of this tract;



- 2) THENCE, twenty feet (20') north of and parallel with said north R.O.W. line, **N87°51'59"E** a distance of **10.00** feet to a calculated point for the northeast corner of this tract;
- 3) THENCE, **S02°08'01"E** a distance of **20.00** feet to a calculated point in said north R.O.W. line of F.M. 1327 for the southeast corner of this tract from which point a ½" iron rod with a plastic cap stamped "VARA" found at the southeast corner of said Boone and Herman's 10.01-acre tract, same being the southwest corner of a remainder of a 449.05-acre tract described in a Partition Deed to Turnersville Development, Ltd. as recorded in Document No. 2000089761, Official Public Records of Travis County, Texas, bears **N87°51'59"E** a distance of 826.50 feet;

THENCE, with said north R.O.W. line of F.M. 1327, **S87°51'59"W**, a distance of **10.00** feet to the **"POINT OF BEGINNING"**, and containing 0.005-acre of land (200 square feet), more or less.

PART 2 0.005-ACRE (200-SQUARE FEET)

BEGINNING FOR REFERENCE at a 5/8" iron rod found in the north right-of-way (R.O.W.) line of F.M. 1327 (R.O.W. varies) for the common south corner of said Boone and Herman's 10.01-acre tract and that certain 10.01-acre tract of land conveyed to Eleven-Mile Hill, LLC as recorded in Document No. 2005065893, and corrected in Document No. 2006143599, both of the Official Public Records of Travis County, Texas; THENCE, with said north R.O.W. line, **N87°51'59"E**, pass a T.X.D.O.T. Type I concrete monument at 79.09 feet and continuing for a distance of 557.08 feet to a calculated point having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, values of N= 10,013,870.19, E= 3,098,265.50 for the southwest corner and **POINT OF BEGINNING** of the herein described easement;

THENCE, leaving said north R.O.W. line of F.M. 1327, and through said Boone and Herman's 10.01 acre tract for the following three (3) courses:

- 1) **N02°08'01"W**, a distance of **20.00** feet to a calculated point for the northwest corner of this tract;
- 2) THENCE, twenty feet (20') north of and parallel with said north R.O.W. line, **N87°51'59"E** a distance of **10.00** feet to a calculated point for the northeast corner of this tract;
- 3) THENCE, **S02°08'01"E** a distance of **20.00** feet to a calculated point in said north R.O.W. line of F.M. 1327 for the southeast corner of this tract, from which point a ½" iron rod with a plastic cap stamped "VARA" found at the southeast corner of said Boone and Herman's 10.01-acre tract, same being a southwest corner of the remainder of a 449.05-acre tract described in a Partition Deed to Turnersville Development, Ltd. as

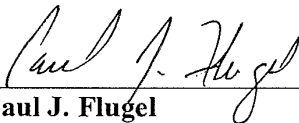


recorded in Document No. 2000089761, of the Official Public Records of Travis County, Texas, bears N87°51'59"E a distance of 401.50 feet;

THENCE, with said north R.O.W. line of F.M. 1327, **S87°51'59"W** a distance of **10.00** feet to the **"POINT OF BEGINNING"**, and containing 0.005-acre of land (200 square feet), more or less.

I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, LP under my supervision, from a survey made on the ground at the above referenced property on November 9, 2010.

Prepared by **Landmark Surveying, LP**
Firm Registration No. 100727-00



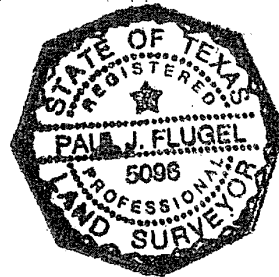
Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date Surveyed: November 9, 2010

Date of Field Notes: November 12, 2010

Revised: November 22, 2010



Bearing Basis:

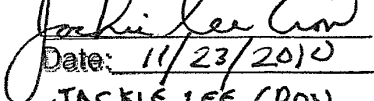
The bearings described herein are based on the Texas State Plane Grid bearings, Texas Central Zone, (4203), NAD'83 (CORS) datum.

Distances shown herein are grid.

T:\PBS\JS IH 35 W & WW- Seg 9\Field Notes\4558.19-WE-Boone & Herman's.doc

Mapsc0 2009 No. 733-G & Austin Grid No. F-9, TCAD No. 04 5618 0206

Reviewed and Approved by:
MACIAS & ASSOCIATES, L.P.


Date: 11/23/2010
JACKIE LEE CROW
R.P.L.S. #5209

LEGEND

- VARA 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "VARA"
- CONCRETE MONUMENT
- 1/2" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
- CALCULATED POINT
- RECORD INFORMATION
- OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- DEED RECORDS OF TRAVIS COUNTY, TEXAS
- PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- R.O.W. RIGHT-OF-WAY
- P.W.E. PROPOSED WATERLINE EASEMENT

SURVEY OF A PORTION OF THE TRINIDAD VARCINAS SURVEY No. 535 ABSTRACT No. 785 TRAVIS COUNTY, TEXAS

TRINIDAD VARCINAS SURVEY No. 535 ABSTRACT No. 785

1" = 200'

HFH INVESTMENTS, LP,
SUCCESSOR IN INTEREST TO
TURNERSVILLE DEVELOPMENT, LTD.
DOC. NO. 2000089761 O.P.R.T.C.T.
(REMAINDER OF 449.05-ACRES)

BOONE & HERMAN'S, LLC
DOC. NO. 2005065897 CORRECTED IN
DOC. NO. 2006143593 O.P.R.T.C.T.
(10.01-ACRES)

HFH INVESTMENTS, LP,
SUCCESSOR IN INTEREST TO
TURNERSVILLE DEVELOPMENT, LTD.
DOC. NO. 2000089761 O.P.R.T.C.T.
(REMAINDER OF 449.05-ACRES)

ELEVEN-MILE HILL, LLC
DOC. NO. 2005065893
CORRECTED IN DOC. NO. 2006143593
O.P.R.T.C.T.
(10.01-ACRES)

(N00°25'10"E 450.00')
(N02°07'45"W 450.02')
(N00°25'10"E 450.00')

PARCEL 4558.19 WE-2
PART 1
0.005 AC.
200 SQ. FT.
826.50' R.O.W.

DETAIL A
NOT TO SCALE

PARCEL 4558.19 WE-2
PART 2
0.005 AC.
200 SQ. FT.
401.50' R.O.W.

(S00°25'10"W 450.00')
(S02°08'36"E 449.78')

30' WATERLINE EASEMENT
PARCEL 4558.19 WE
DOC. NO. 2010027077 O.P.R.T.C.T.

POINT OF REFERENCE
PART 1 & 2

S87°51'59"W 968.58'
(N89°34'50"W 968.50')

DETAIL B
NOT TO SCALE

PARCEL 4558.19 WE-2
PART 2
0.005 AC.
200 SQ. FT.
401.50' R.O.W.

APPROX. LOCATION OF SURVEY LINE

R.O.W. LINE

PARCEL 4558.19 WE-2
WATER LINE EASEMENT
2 PARTS TOTALING
0.010-AC.
(400 SQ. FT.)

P.O.B. PART 1
N=10,013,854.37
E=3,097,840.79
GRID

F.M. 1327
(RIGHT-OF-WAY WIDTH VARIES)

P.O.B. PART 2
N=10,013,870.19
E=3,098,265.50
GRID

SKETCH TO ACCOMPANY FIELD NOTES

Client: PBS&J
Date: December 11, 2009 & November 8, 2010
Office: Mounene Boudi
Crew: S.Dunn
F.B.: 1256/36
Path: t:\pos\35 in 35 w & ww- seg 9\landmark drawings\seasements\35seg 9-grid-base.dwg
Job No.: 372-30-05

NOTE: UTILITIES AND IMPROVEMENTS MAY EXIST WHICH ARE NOT SHOWN HERE ON.

Henry M. Downmann Survey No. 536
ABSTRACT No. 218

Landmark Surveying, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH: (512)328-7411 FAX: (512)328-7413

SURVEY OF A PORTION OF THE
TRINIDAD VARCINAS SURVEY No. 535
ABSTRACT No. 785
TRAVIS COUNTY, TEXAS

RESTRICTIVE COVENANT AND EASEMENT NOTES ADDRESSING OWNERSHIP AND EASEMENT REPORT ISSUED BY
COMMONWEALTH LAND TITLE INSURANCE COMPANY, GF NO. 2425001400, EFFECTIVE MAY 19, 2008:

1. RESTRICTIVE COVENANTS RECORDED IN VOLUME 11606, PAGE 234 (REAL PROPERTY RECORDS, TRAVIS COUNTY) AND VOLUME 907, PAGE 860 (OFFICIAL PUBLIC RECORDS, HAYS COUNTY), VOLUME 12572, PAGE 1 (REAL PROPERTY RECORDS, TRAVIS COUNTY) AND VOLUME 1190, PAGE 779 (OFFICIAL RECORDS, HAYS COUNTY), VOLUME 12655, PAGE 115 (REAL PROPERTY RECORDS, TRAVIS COUNTY) AND VOLUME 1217, PAGE 85 (OFFICIAL PUBLIC RECORDS, HAYS COUNTY), DO AFFECT THE PROPOSED EASEMENT.
- 10e. Covenants, Conditions, Options, Obligations, Restrictions, Water/Well Rights, Easements, and Costs/Charges, As Set Forth in that Certain Declaration Recorded in Volume 11606, Page 234 (Real Property Records, Travis County, Texas) and Volume 907, Page 860 (Official Public Records, Hays County, Texas), DO AFFECT the proposed easement.
- 10f. Covenants, Conditions, Options, Obligations, Restrictions, Easements, and Charges and Liens, As Set Forth in those Certain Declarations Recorded in Volume 12572, Page 1 (Real Property Records, Travis County, Texas) and Volume 1190, Page 779 (Official Public Records, Hays County, Texas), and Volume 12655, Page 115 (Real Property Records, Travis County, Texas) and Volume 1217, Page 85 (Official Public Records, Hays County, Texas), DO AFFECT the proposed easement.
- 10g. Easement Executed by Herman Heep, to the State of Texas as recorded in Volume 157, Page 64 of the Deed Records of Hays County, Texas, DOES NOT AFFECT the proposed easement.
- 10h. Easement Executed by Herman Heep, to the State of Texas as recorded in Volume 157, Page 175 of the Deed Records of Hays County, Texas, DOES NOT AFFECT the proposed easement.
- 10i. Easement Executed by Mrs. Minnie Belle Heep to United Gas Pipe Line Company as recorded in Volume 182, Page 419 of the Deed Records of Hays County, Texas, DOES NOT AFFECT the proposed easement.
- 10j. Easement Executed by Mrs. Minnie Bell Heep, et al, to Upper San Marcos Watershed Reclamation and Flood Control District as recorded in Volume 338, Page 355 of the Deed Records of Hays County, Texas, DOES NOT AFFECT the proposed easement.
- 10k. Easement Executed by E. E. Severn and Mrs. E. E. Severn to Texas Power and Light Company as recorded in Volume 539, Page 372 of the Deed Records of Travis County, Texas, MAY AFFECT the proposed easement; there is no legal description for the tract containing the listed easement.
- 10l. Easement executed by Herman F. Heep to Texas Power and Light Company as recorded in Volume 554, Page 426 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10m. Easement executed by Mrs. L. H. Montgomery to Texas Power and Light Company as recorded in Volume 556, Page 392 of the Deed Records of Travis County, Texas, MAY AFFECT the proposed easement; there is no legal description for the tract containing the listed easement.
- 10n. Easement executed by Herman F. Heep to Southwestern Bell Telephone Company as recorded in Volume 692, Page 339 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10o. Easement executed by Herman F. Heep, et al, to Southwestern Bell Telephone Company as recorded in Volume 698, Page 55 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10p. Easement executed by Herman F. Heep to Lower Colorado River Authority as recorded in Volume 1066, Page 30 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10q. Easement executed by Herman F. Heep to Lower Colorado River Authority as recorded in Volume 1066, Page 35 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10r. Easement executed by Herman F. Heep to the City of Austin as recorded in Volume 2022, Page 29 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.

Client: PBS&J
Date: December 11, 2009 & November 8, 2010
Office: Mourmene Bouadi
Crew: S.Dunn
F.B.: 1256/36
Path: t:\pbsj\s ih 35 w & ww- seg 9\landmark drawings\easements\sih35_seg 9-grid-base.dwg
Job No.: 372-30-05

PAGE 5 OF 6


Landmark
SURVEYING, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH: (512)328-7411 FAX: (512)328-7413

SURVEY OF A PORTION OF THE
TRINIDAD VARCINAS SURVEY No. 535
ABSTRACT No. 785
TRAVIS COUNTY, TEXAS

- 10s. Easement executed by Mrs. Minnie Belle Heep to United Gas Pipe Line Company as recorded in Volume 2215, Page 440 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10t. Easement executed by Mrs. Minnie Belle Heep and the Estate of Herman F. Heep to Lone Star Gas Company as recorded in Volume 2989, Page 538 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10u. Easement executed by George R. Snowden and Charles S. Nichols, Trustees for the Herman F. Heep Trust No. 1 and 2, and Minnie Belle Heep to Pedernales Electric Cooperative, Inc. as recorded in Volume 7584, Page 427 of the Deed Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10v. Easement executed by Herman F. Heep, et al, to Lower Colorado River Authority as recorded in Volume 973, Page 304 of the Official Public Records of Hays County, Texas and Volume 11872, Page 187 of the Real Property Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10w. Easement executed by Austin Trust Company, Trustee for the Herman F. Heep Trust Nos. 1 and 2, to the Lower Colorado River Authority as recorded in Volume 11872, Page 202 of the Real Property Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10x. Easement executed by Minnie Belle Heep, et al, to Creedmoor-Maha Water Supply Corp. as recorded in Document No. 2000152775 of the Official Public Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10bb. Terms, Conditions, and Stipulations contained in the Memorandum of Easement Donation Agreement as recorded in Document No. 2000082628 of the Official Public Records of Travis County, Texas, DOES NOT AFFECT the proposed easement.
- 10cc. Terms, Conditions and Stipulations of Heep Ranch Water Quality Protection Plan evidenced by Declaration of Covenants, Conditions and Restrictions for the Heep Ranch as recorded in Volume 12572, Page 1 of the Real Property Records of Travis County, Texas and Volume 1190, Page 779 of the Official Public Records of Hays County, Texas and evidenced by First Amended and Restated Declaration of Covenants, Conditions and Restrictions for Heep Ranch as recorded in Volume 12665, Page 115 of the Real Property Records of Travis County, Texas and Volume 1217, Page 85 of the Official Public Records of Hays County, Texas and further affected by Partition Agreement as recorded in Document No. 2000089760 of the Official Public Records of Travis County, Texas and Volume 1680, Page 335 of the Official Public Records of Hays County, Texas, DO AFFECT the proposed easement.
- 10dd. Terms, Conditions and Stipulations contained in Partition Agreement, Executed by and between Harriet "Hatsy" Heep Shaffer, ("Shaffer"), Kathleen Henderson Adkins, one and the same person as Kathleen Peeler Henderson ("Adkins") and Turnersville Development, Ltd. ("TDL") as recorded in Document No. 2000089760 of the Official Public Records of Travis County, Texas and Volume 1680, Page 335 of the Official Public Records of Hays County, Texas, DO AFFECT the proposed easement.

BEARING BASIS:

THE BEARINGS DESCRIBED HEREIN ARE TEXAS STATE PLANE GRID BEARINGS, CENTRAL ZONE-4203, NAD83(CORS). PROJECT CONTROL POINTS WERE ESTABLISHED FROM CITY OF AUSTIN, REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

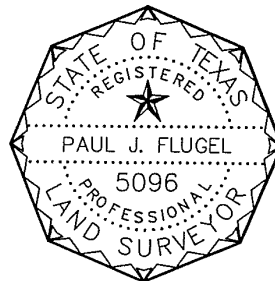
AS SURVEYED BY
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00

Paul J. Flugel

PAUL J. FLUGEL
Registered Professional Land Surveyor No. 5096
DATE: November 08, 2010

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR

Client: PBS&J
Date: December 11, 2009 & November 8, 2010
Office: Moumene Bouadi
Crew: S.Dunn
F.B.: 1256/36
Path: t:\pbsj\s ih 35 w & ww- seg 9\landmark drawings\easements\sih35_seg 9-grid-base.dwg
Job No.: 372-30-05



PAGE 6 OF 6

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